



General Assembly

**Substitute Bill No. 5412**

January Session, 2013



**AN ACT CONCERNING DEER MANAGEMENT PROGRAMS ON  
PRIVATE PROPERTY AND AUTHORIZING BOW AND ARROW  
HUNTING ON PRIVATE PROPERTY ON SUNDAYS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 26-82 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (a) No person shall hunt, pursue, wound or kill any deer or sell or  
5 offer for sale or have in possession the flesh of any deer captured or  
6 killed in this state, or have in possession the flesh of any deer from any  
7 other state or country unless it is properly tagged as required by such  
8 state or country except as provided by the terms of this chapter or  
9 regulations adopted pursuant thereto, and except that any landowner  
10 or primary lessee of land owned by such landowner or the husband or  
11 wife or any lineal descendant of such landowner or lessee or any  
12 designated agent of such landowner or lessee may kill deer with a  
13 shotgun, rifle or bow and arrow provided a damage permit has first  
14 been obtained from the commissioner and such person has not been  
15 convicted for any violation of this section, section 26-85, 26-86a, as  
16 amended by this act, 26-86b or 26-90 or subsection (b) of section 26-  
17 86a-2 of the regulations of Connecticut state agencies within three  
18 years preceding the date of application. Upon the receipt of an

19 application, on forms provided by the commissioner and containing  
20 such information as said commissioner may require, from any  
21 landowner who has or whose primary lessee has an actual or potential  
22 gross annual income of twenty-five hundred dollars or more from the  
23 commercial cultivated production of grain, forage, fruit, vegetables,  
24 flowers, ornamental plants or Christmas trees and who is experiencing  
25 an actual or potential loss of income because of severe damage by deer,  
26 the commissioner shall issue not more than six damage permits  
27 without fee to such landowner or the primary lessee of such  
28 landowner, or the wife, husband, lineal descendant or designated  
29 agent of such landowner or lessee. The application shall be notarized  
30 and signed by all landowners or by the landowner or a lessee to whom  
31 a farmer tax exemption permit has been issued pursuant to  
32 subdivision (63) of section 12-412. Such damage permit shall be valid  
33 through October thirty-first of the year in which it is issued and may  
34 specify the hunting implement or shot size or both which shall be used  
35 to take such deer. The commissioner may at any time revoke such  
36 permit for violation of any provision of this section or for violation of  
37 any regulation pursuant thereto or upon the request of the applicant.  
38 Notwithstanding the provisions of section 26-85, the commissioner  
39 may issue a permit to any landowner or primary lessee of land owned  
40 by such landowner or the husband or wife or any lineal descendant of  
41 such landowner or lessee and to not more than three designated agents  
42 of such landowner or lessee to use a jacklight for the purpose of taking  
43 deer when it is shown, to the satisfaction of the commissioner, that  
44 such deer are causing damage which cannot be reduced during the  
45 daylight hours between sunrise and one-half hour after sunset on the  
46 land of such landowner. The commissioner may require notification as  
47 specified on such permit prior to its use. Any deer killed in accordance  
48 with the provisions of this section shall be the property of the owner of  
49 the land upon which the same has been killed, but shall not be sold,  
50 bartered, traded or offered for sale, and the person who kills any such  
51 deer shall tag and report each deer killed, as provided in section 26-  
52 86b. Upon receipt of the report required by section 26-86b, the  
53 commissioner shall issue an additional damage permit to the person

54 making such report. Any deer killed otherwise than under the  
55 conditions provided for in this chapter or regulations adopted  
56 pursuant thereto shall remain the property of the state and may be  
57 disposed of by the commissioner at the commissioner's discretion to  
58 any state institution or may be sold and the proceeds of such sale shall  
59 be remitted to the State Treasurer, who shall apply the same to the  
60 General Fund, and no person, except the commissioner, shall retail, sell  
61 or offer for sale the whole or any part of any such deer. No person  
62 shall be a designated agent of more than one landowner or primary  
63 lessee in any calendar year. No person shall make, set or use any trap,  
64 snare, salt lick, bait or other device for the purpose of taking, injuring  
65 or killing any deer, except that deer may be taken over an attractant in  
66 areas designated by the commissioner. For the purposes of this section,  
67 an attractant means any natural or artificial substance placed, exposed,  
68 deposited, distributed or scattered that is used to attract, entice or lure  
69 deer to a specific location including, but not limited to, salt, chemicals  
70 or minerals, including their residues or any natural or artificial food,  
71 hay, grain, fruit or nuts. The commissioner may authorize any  
72 municipality, landowner, homeowner association or nonprofit land-  
73 holding organization approved by the commissioner under the  
74 provisions of this section to take deer at any time, other than Sundays,  
75 or place using any method consistent with professional wildlife  
76 management principles when a severe nuisance or ecological damage  
77 can be demonstrated to the satisfaction of the commissioner. Any such  
78 municipality, landowner, homeowner association or nonprofit land-  
79 holding organization shall submit to the commissioner, for the  
80 commissioner's review and approval, a plan that describes the extent  
81 and degree of the nuisance or ecological damage and the proposed  
82 methods of taking. Prior to the implementation of any such approved  
83 plan, the municipality, landowner, homeowner association or  
84 nonprofit land-holding organization shall provide notice of such plan  
85 to any abutting landowners of such place where the plan will be  
86 implemented. Such plan shall not authorize the use of a snare. No  
87 person shall hunt, pursue or kill deer being pursued by any dog,  
88 whether or not such dog is owned or controlled by such person, except

89 that no person shall be guilty of a violation under this section when  
90 such a deer is struck by a motor vehicle operated by such person. No  
91 person shall use or allow any dog in such person's charge to hunt,  
92 pursue or kill deer. No permit shall be issued when in the opinion of  
93 the commissioner the public safety may be jeopardized.

94 Sec. 2. Section 26-73 of the general statutes is repealed and the  
95 following is substituted in lieu thereof (*Effective October 1, 2013*):

96 Sunday shall be a closed season except for hunting deer with bow  
97 and arrow and for the purpose of trapping under the provisions of this  
98 chapter. The possession in the open air on Sunday of any implement  
99 for hunting, except for bow and arrow, shall be prima facie evidence of  
100 hunting in violation of the provisions of this section. No provision of  
101 this section shall be construed so as to affect any provision of section  
102 26-31, 26-48, 26-52 or 27-35. [or apply to the use of bow and arrow for  
103 purposes other than hunting.] Artificially propagated birds designated  
104 by the commissioner may be shot on Sundays on licensed private  
105 shooting preserves subject to such regulations of the commissioner as  
106 may apply to such private shooting preserves, provided permission so  
107 to shoot has been obtained from the town or towns within which such  
108 licensed private shooting preserves are located. Any person who hunts  
109 deer on Sunday with bow and arrow pursuant to this section shall  
110 conduct such hunting in accordance with and pursuant to the wildlife  
111 management principles and practices established by the Commissioner  
112 of Energy and Environmental Protection, have the written permission  
113 of the private property owner where such hunting is conducted and  
114 carry such written permission upon his or her person during the  
115 hunting. No person shall hunt with bow and arrow on Sunday  
116 pursuant to this section within forty yards of a blazed hiking trail.

117 Sec. 3. Subsection (a) of section 26-86a of the general statutes is  
118 repealed and the following is substituted in lieu thereof (*Effective*  
119 *October 1, 2013*):

120 (a) The commissioner shall establish by regulation adopted in

121 accordance with the provisions of chapter 54 standards for deer  
122 management, and methods, regulated areas, bag limits, seasons and  
123 permit eligibility for hunting deer with bow and arrow, muzzleloader  
124 and shotgun, except that no such hunting shall be permitted on  
125 Sunday by any means other than with bow and arrow pursuant to  
126 section 26-73, as amended by this act. No person shall hunt, pursue,  
127 wound or kill deer with a firearm without first obtaining a deer permit  
128 from the commissioner in addition to the license required by section  
129 26-27. Application for such permit shall be made on forms furnished  
130 by the commissioner and containing such information as he may  
131 require. Such permit shall be of a design prescribed by the  
132 commissioner, shall contain such information and conditions as the  
133 commissioner may require, and may be revoked for violation of any  
134 provision of this chapter or regulations adopted pursuant thereto. As  
135 used in this section, "muzzleloader" means a rifle or shotgun of at least  
136 forty-five caliber, incapable of firing a self-contained cartridge, which  
137 uses powder, a projectile, including, but not limited to, a standard  
138 round ball, mini-balls, maxi-balls and Sabot bullets, and wadding  
139 loaded separately at the muzzle end, and "rifle" means a long gun the  
140 projectile of which is six millimeters or larger in diameter. The fee for a  
141 firearms permit shall be nineteen dollars for residents of the state and  
142 sixty-eight dollars for nonresidents, except that any nonresident who is  
143 an active full-time member of the armed forces, as defined in section  
144 27-103, may purchase a firearms permit for the same fee as is charged a  
145 resident of the state. The commissioner shall issue, without fee, a  
146 private land deer permit to the owner of ten or more acres of private  
147 land and the husband or wife, parent, grandparent, sibling and any  
148 lineal descendant of such owner, provided no such owner, husband or  
149 wife, parent, grandparent, sibling or lineal descendant shall be issued  
150 more than one such permit per season. Such permit shall allow the use  
151 of a rifle, shotgun, muzzleloader or bow and arrow on such land from  
152 November first to December thirty-first, inclusive. Deer may be so  
153 hunted at such times and in such areas of such state-owned land as are  
154 designated by the Commissioner of Energy and Environmental  
155 Protection and on privately owned land with the signed consent of the

156 landowner, on forms furnished by the department, and such signed  
 157 consent shall be carried by any person when so hunting on private  
 158 land. The owner of ten acres or more of private land may allow the use  
 159 of a rifle to hunt deer on such land during the shotgun season. The  
 160 commissioner shall determine, by regulation, the number of consent  
 161 forms issued for any regulated area established by said commissioner.  
 162 The commissioner shall provide for a fair and equitable random  
 163 method for the selection of successful applicants who may obtain  
 164 shotgun and muzzleloader permits for hunting deer on state lands.  
 165 Any person whose name appears on more than one application for a  
 166 shotgun permit or more than one application for a muzzleloader  
 167 permit shall be disqualified from the selection process for such permit.  
 168 No person shall hunt, pursue, wound or kill deer with a bow and  
 169 arrow without first obtaining a bow and arrow permit pursuant to  
 170 section 26-86c. "Bow and arrow", as used in this section and in section  
 171 26-86c, means a bow with a draw weight of not less than forty pounds.  
 172 The arrowhead shall have two or more blades and may not be less  
 173 than seven-eighths of an inch at the widest point. No person shall  
 174 carry firearms of any kind while hunting with a bow and arrow under  
 175 this section and section 26-86c.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2013	26-82(a)
Sec. 2	October 1, 2013	26-73
Sec. 3	October 1, 2013	26-86a(a)

**ENV**      *Joint Favorable Subst.*